

**Litchfield Planning Board
June 2, 2009**

Members present:

Alison Douglas, Chairman
Edward Almeida, Vice Chairman
Marc Ducharme, Clerk
Leon Barry
Carlos Fuertes
Steve Perry, Selectmen's Representative

Members not present:

Jayson Brennen

Also present:

Joan McKibben, Administrative Assistant
Steve Wagner, Nashua Regional Planning Commission Circuit Rider

AGENDA

- 1. Workforce Housing – R.J. Moreau to speak**
- 2. Work Session – Draft Vehicular Circulation Standards**
- 3. Work Session – Draft Driveway Standards**
- 4. Review Zoning Permitted Uses Sections 501.00, 601.00, 701.00
801.00, 901.00, 951.00 and 1001.00**
- 5. Rolling Acres IV action item, request update from applicant Re:
conditions of approval**
- 6. Rolling Acres III and IV action items, escrow account update**
- 7. Escrow accounts vote to release**
 - a. Fur N Feathers water main escrow, engineering escrow**

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b. Florence Leary excavation

Any Other business

- **Planning Board to sign zoning certification**
- **Correspondence**
- **Approval of May 5, 2009 minutes**

Chairman Douglas called the meeting to order.

1. Workforce Housing

Mr. Reggie Moreau was not present to talk about workforce housing.

Conservation subdivisions - Andrew Prolman, a resident, came forward to talk about conservation subdivisions and reminded the Board about considering putting it on the March ballot. He had met with the Board a few months ago and the Board seemed interested in pursuing it. He urged the Board to get started with a draft to be ready for Town Meeting.

Mr. Ducharme said he has been working on it. He has been trying to see how small a lot it would take to accommodate a house, wells, septic, etc. Mr. Prolman had previously provided the Board with a sample regulation from the Town of Milford.

Mr. Kevin Lynch, Litchfield Code Enforcement Officer, talked about the Milford regulation being familiar with it having been the building inspector in Milford up until August 2008. He said that sewage is a big factor in these developments and that he is not a firm believer in community leachfields but it can be done. Talk went on about reducing lots to 22,000 square feet and Mr. Lynch pointed out that you have to reduce the setback requirements on side and rear lot lines.

2. Work Session - Vehicular Circulation Standards

The Board reviewed a proposed Vehicular Circulation Standards regulation provided by Steve Wagner. He reviewed the recommended changes made at the last meeting the Board had discussed it.

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2 120.1 General provisions - Mr. Lynch: I think what you have here is
3 basically for site plan. You have to get into parking, etc. based on use and
4 that will give you vehicular traffic requirements for curb cuts. What I have
5 seen in the regulations the way it is now, you can't do it, you need to go get
6 a site plan or a waiver. If somebody wants to add on or modify, they have to
7 come back before you and get a waiver. You need to get something in your
8 site plan regulation for parking, vehicle traffic, etc. The standards get into
9 parking, everything, and driveway locations.

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11 Mr. Perry: If BAE, or a strip mall comes in and we do not have this
12 regulation, what do we have to control it?

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14 Mr. Lynch: You have your site plan regulation.

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16 Mr. Prolman added that mostly when you have a big commercial
17 development a critical component is the traffic engineer's recommendations.

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19 Page 4 Section b - Mr. Prolman asked if the Board wants to say that District
20 5 will issue driveway permits for curb cuts because it not only refers to State
21 roads but private roads. It needs to be reworded. Mr. Lynch recommended
22 that a, b, and c be taken out because talking about vehicle access on an
23 existing site and the curb cut whether it is on a town or state road has
24 nothing to do with the design access when it is commercial.

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26 Mr. Wagner continued going over the changes he made to the proposed
27 regulation.

28
29 In conclusion, Mr. Wagner will rewrite the verbiage according to the
30 discussions this evening. There is a lot of repetitive language in the
31 document and he will clean it up. He will clarify driveway angles, keep the
32 State roads listed and do something in the event the State adds a road. In the
33 general provisions, reference to the State will be streamlined; he will remove
34 what is not necessary and look up road classifications. This will be reviewed
35 at the next work session.

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37 **3. Work Session - Draft Driveway Standards**

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39 This will be reviewed June 16, 2009.

4. Review Zoning - Permitted Uses

Mr. Wagner said he did not have a draft available for review this evening because he did not know what the Board wanted. Mr. Wagner reminded the Board that this came about when Fur N Feathers development came in and he had felt it was an agricultural use but Roland Bergeron, Code Enforcement Officer at the time, did not agree. So, they had to go for a variance because there was nothing listed in the permitted uses for dog kennels.

Mr. Perry felt that the Board should not get bogged down with this item but rather it should be looking at workforce housing. Mr. Wagner agreed that conservation subdivisions and workforce housing should be the primary focus. Mr. Perry added to definitely move forward with a driveway regulation and vehicular circulation standards because those regulations are almost completed.

At this time, Mr. Lynch, as a citizen, said that the Londonderry Pettengill Project has no benefit to the Town other than workforce housing and it is a big "if" as to whether or not sewage would come into Town.

All in all, permitted uses will be reviewed once the workforce housing regulation is worked on.

5. Rolling Acres IV

Administrative Assistant Joan McKibben told the Board that the plan was approved in April 2008 with conditions. The plan has not been recorded; they have not met the conditions. She suggested that a letter be sent to the applicant. Chairman Douglas agreed. The letter will be sent certified stating that they have 15 days to reply, thus putting them on notice they have so many days to comply with the conditions. If they do not comply, they are in jeopardy of losing their approval. Mrs. McKibben said that they also owe the Town money.

6. Rolling Acres III and IV

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1 Again Mrs. McKibben suggested sending them a certified letter. She said
2 she had sent the applicant a letter in November regarding escrow funds owed
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4 but she has received no reply. If there is no reply, then Town Counsel will
5 be contacted for further action.
6

7 **7. Escrow Accounts to Release**
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9 **Fur N Feathers' bonds** - Mr. Kevin Lynch said he concurs with Lou
10 Caron's letter and went over the items. Mr. Lynch said the asphalt pad is
11 fine; it makes no difference whether it is concrete or asphalt in this case. He
12 told the Board that normally a concrete pad is placed for enclosed dumpsters
13 usually at restaurants, etc. but not necessary for non-enclosed dumpsters.
14 The site plan did specify concrete.
15

16 There are two Fur N Feathers escrow accounts: one is for engineering fees
17 and the other one is for the water main installation. Chairman Douglas read
18 Lou Caron's letter aloud regarding the ponding. The ditch work has been
19 done and the DOT (Department of Transportation) is satisfied with the work.
20

21 Some members were not certain the bonds should be released in case there is
22 a problem with ponding. Mr. Lynch disagreed. Chairman Douglas
23 questioned what would happen if there is a problem later on, who would fix
24 it. Mr. Lynch said the State would contact the owner but pointed out that the
25 problem is minimal. Chairman Douglas said that the water company
26 (Pennichuck) is fine with the water main installation.
27

28 Mr. Barry **MOTIONED** to release the escrow funds for Fur N Feathers on
29 the water main escrow at 273 Derry Road in Litchfield. Mr. Almeida
30 seconded. Motion carried 6-0-0.
31

32 Mr. Barry **MOTIONED** to release the engineering escrow money to Jeff
33 Lovejoy of Fur N Feathers at 273 Derry Road. Mr. Fuertes seconded.
34 Motion carried 6-0-0.
35

36 **Florence Leary Excavation Bond** - The Board is in receipt of a letter from
37 Kevin Lynch stating he had no problem with the site and recommends the
38 bond be released, Map 3 Lot 128. Mr. Ducharme **MOTIONED** to release

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1 the bond for Florence Leary Excavation. Mr. Perry seconded. Motion carried
2 6-0-0.

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5 **Annandale Fields** - This is an older persons project which has been sold to
6 K & M Developers (Sousa Realty). They have posted a \$10,000 engineering
7 escrow fund and thus looking to release Northbridge's bond (former owner).

8
9 Mr. Perry feels the bond should not be released at this time. Chairman
10 Douglas asked to hold off on this matter until the next meeting to be
11 absolutely sure there won't be any other bills or expenses to be paid out of
12 Northbridge's escrow money. Mrs. McKibben read aloud the request to
13 release the escrow funds. Mr. Ducharme suggested getting documentation
14 from the new owner before releasing Northbridge's escrow because it is not
15 certain what was done at the closing. It was suggested obtaining a copy of
16 the purchase and sales agreement.

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18 **ANY OTHER BUSINESS**

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20 **Impact Fee Realignment** - Mr. Perry said the Board had signed an
21 agreement last year with Bruce Mayberry on the realignment. Mr. Perry
22 spoke with him and he apologized for the delay and hopes to start working
23 on it by the end of this month. Mr. Perry provided copies of the scope of
24 work.

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26 **NONPUBLIC SESSION**

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28 Mr. Almeida **MOTIONED** to go into nonpublic session per RSA91-
29 A:3II(c). Mr. Barry seconded. Roll call: A. Douglas, yes; M. Ducharme,
30 yes; L. Barry, yes; E. Almeida, yes; C. Fuertes, yes; S. Perry, yes. Motion
31 carried 6-0-0.

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33 At 9:45 p.m. Mr. Perry **MOTIONED** to come out of nonpublic session. Mr.
34 Barry seconded. Roll call: A. Douglas, yes; E. Almeida, yes; L. Barry, yes;
35 C. Fuertes, yes; M. Ducharme, yes; S. Perry, yes. Motion carried 6-0-0.

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37 Mr. Barry **MOTIONED** to keep the minutes nonpublic. It was seconded by
38 Mr. Perry. Motion carried 6-0-0.

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Fire Chief - The Board is in receipt of an email from Frank Byron, Board of Selectmen Chairman, suggesting that Fire Chief Thomas Schofield come before the Board to speak about the recent fire at Westview Drive. The issue being no fire hydrant and a 700 foot long driveway. It was said that the house was supposed to have a 24 hour monitoring system. Chief Schofield to speak about the difficulties the firefighters had fighting the fire, etc.

There being no further business, a Motion was made to adjourn the meeting. It was seconded. Motion carried 6-0-0. The meeting adjourned at 10:01 p.m.

Lorraine Dogopoulos
Recording Secretary
(transcribed from tape)

DATE _____	Alison Douglas _____
	Edward Almeida _____
	Marc Ducharme _____
	Leon Barry _____
	Carlos Fuertes _____
	Steve Perry _____